



**CITY COUNCIL
MEETING MINUTES**

APRIL 6, 2009 7:30 PM

I. CALL TO ORDER

A. Flag Salute

Mayor Peter B. Lewis called the meeting to order and led those in attendance in the Pledge of Allegiance.

B. Roll Call

Mayor Lewis and the following Councilmembers were present: Rich Wagner, Sue Singer, Gene Cerino, Nancy Backus, Bill Pelosa, Lynn Norman, and Virginia Haugen.

Staff members present included: Risk Manager Rob Roscoe, City Attorney Daniel B. Heid, Public Works Director Dennis Dowdy, Planning, Building and Community Director Cindy Baker, Parks, Arts and Recreation Director Daryl Faber, Chief of Police Jim Kelly, Information Services Director Lorrie Rempher, Finance Director Shelley Coleman, Multimedia Manager Jeremy Chevalier, Deputy Police Chief Bob Lee, Assistant Police Chief Larry Miller, Police Sergeants Eric Armstrong, Brian Williams, and Mark Caillier, Police Officers Stan Adamski, Andy Clapp, Tyler Christian, and Steve Sills, Building Division Manager Rick Hopkins, Senior Center Supervisor Radine Lozier, and Deputy City Clerk Cathy Richardson.

C. Announcements and Appointments

1. Announcements

a) 2009 Miss Auburn Ali Wallace

Councilmember Backus welcomed 2009 Miss Auburn Ali Wallace who was in the audience. Ms. Wallace recently returned from a two week trip to Sierra Leone, Africa, where she worked on infrastructure

projects and obtaining funding for schooling. Ms. Wallace was informed that an Ali Wallace Elementary and Junior High School will be built in her honor. Councilmember Backus commended her efforts and dedication regarding human services.

b) Certificate of Appreciation of Service for Officer Shaun Feero

Police Chief Kelly reported that Officer Feero is a military reservist in the Air Force. Officer Feero was deployed to Iraq from July 2008 to February 2009. Chief Kelly expressed his pride in Officer Feero for his service to his country and the Auburn community.

Mayor Lewis read and presented a Certificate of Appreciation to Officer Feero. Mayor Lewis thanked Officer Feero for his bravery and sacrifice and welcomed him home.

c) Proclamation - “YMCA Healthy Kids Day”

Mayor Lewis declared April 18, 2009 as “YMCA Healthy Kids Day” in the city of Auburn.

Mayor Lewis read and presented the proclamation to YMCA representatives Wesley Gill and his wife Amy Gann. Mr. Gill invited everyone to attend “Healthy Kids Day”. Mr. Gill spoke regarding the many activities that will be held and praised the benefits this event provides to Auburn children, their parents, and the community in general. Mr. Gill distributed a flyer for “YMCA Healthy Kids Day”.

d) Proclamation – “Arbor Day”

Mayor Lewis declared April 8, 2009 as “Arbor Day” in the city of Auburn.

Mayor Lewis read and presented the proclamation to Park, Arts and Recreation Director Daryl Faber.

Mayor Lewis commended the efforts of the Auburn Urban Tree Board and Auburn Garden Club for their many contributions to the Auburn community.

Director Faber invited the community to attend the Arbor Day tree planting at 9:30 a.m. on Wednesday, April 8, 2009 at Dorothy Bothell Park located in the Lakeland area.

e) Proclamation – “*National Volunteer Week*”

Mayor Lewis declared the week of April 19-25, 2009 as “National Volunteer Week” in the city of Auburn.

Mayor Lewis read and presented the proclamation to Senior Center Administrator Radine Lozier.

Ms. Lozier reported that April 19-25, 2009 is National Volunteer Week which is celebrated nationwide. The Senior Center will be hosting a luncheon on April 28 to honor all volunteers in the city of Auburn. Ms. Lozier stated that the Senior Center has approximately 175 volunteers and, as of March 2009, 2,340 hours were recorded. This number far exceeds the hours recorded for March 2008, which was 1,690 hours. Ms. Lozier expressed her pride in the volunteer work provided by the Auburn community.

f) Auburn Tourism Board Website Presentation

Deputy Mayor Singer reported that she is chair of the Auburn Tourism Board and introduced Auburn Area Chamber of Commerce Tourism and Marketing Coordinator Debbie Luce and City of Auburn Multimedia Supervisor Jeremy Chevalier.

Ms. Luce presented a demonstration of the Auburn Tourism Board website, which has been improved so as to be more user-friendly. Ms. Luce reviewed the current events, feature events, event calendar, lodging, restaurants, things to do in Auburn, and regional attractions. Ms. Luce reported that the marketing plan continues to be developed. Ms. Luce thanked Mr. Chevalier for his assistance and contributions with regard to the website.

Ms. Luce noted that the “Discover Auburn” event will be held June 6-14, 2009. The new Farmers Market will be the finale of the “Discover Auburn” event.

2. Appointments

a) Human Services Committee

City Council to confirm the appointment of Bette Van Gasken to the Human Services Committee for a three-year term expiring December 31, 2011.

Deputy Mayor Singer moved and Councilmember Wagner seconded to confirm the appointment of Bette Van Gasken to the Human Services Committee.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Agenda Modifications

Agenda modifications included the addition of Resolution No. 4472 which was revised and distributed prior to the Council meeting.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

No public hearing was scheduled for this evening.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

Matt DeKerrie, 32016 225th Avenue SE, Kent

Mr. DeKerrie spoke on behalf of Allied Waste Services. Mr. DeKerrie offered a reminder to the City that Spring Clean-up will be held May 11-15, 2009. Mr. DeKerrie reported that, in an effort to show appreciation for Allied Waste Services customers, a new pilot program has been implemented which includes a contest for one free year of garbage service. Mr. DeKerrie distributed a flyer promoting the contest.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A3.7.6

A. Municipal Services

Chair Cerino reported that the Municipal Services Committee met on March 23, 2009. The Committee discussed Resolution Nos. 4462 and 4465, solid waste contract extension, waste connections update, and the Committee matrix. The next regular meeting of the Municipal Services Committee is scheduled for April 13, 2009 at 4:00 p.m.

B. Planning & Community Development

Vice Chair Backus reported that the Planning and Community Development Committee met on March 23, 2009 at 5:00 p.m. The Committee approved Resolution No. 4462. The Committee also discussed Resolution No. 4455, Shoreline Master Program update, Washington State Open Space Taxation Joint Committee, Environmental Park Zoning District code amendments including landscaping and screening and off-street parking and loading, Leadership in Energy and Environmental Design (LEED) Platinum Certification, Conditional Use Permit moratorium, Ordinance Nos. 6231 and 6230, population targets, and the 60 day review period for the City Code update. The next regular meeting of the Planning and Community Development Committee is scheduled for April 13, 2009 at 5:00 p.m.

C. Public Works

Chair Wagner reported that the Public Works Committee met this afternoon at 3:00. The Committee discussed and approved two Right-of-Way Use Permits, the initiation of the Mary Olson Farm Improvements project which is funded by grants, and advertising for Phase 1B of the Citywide Intelligent Transportation System project. The Committee also discussed changing the utility late fee charge, Ordinance Nos. 6230 and 6231, Conditional Use Permits Moratorium Resolution No. 4472, change of a business access on Auburn Way North, underground wiring policy, pavement condition of designated truck routes, and design standards. The next regular meeting of the Public Works Committee is scheduled for April 20, 2009 at 3:00 p.m.

D. Finance

Chair Backus reported that the Finance Committee met this evening at 6:30. The Committee approved claims and payroll vouchers. The Committee also discussed Identity Theft Prevention Program Resolution No. 4465, Waste Management contract

extension, fourth quarter update, utility fees and potential reduction of the second shutoff notice penalty fee from \$95.00 to \$25.00 to ease the hardships faced under current economic conditions, animal control contract extension, Ordinance No. 6232, and Resolution No. 4472. The next regular meeting of the Finance Committee is scheduled for April 20, 2009 at 6:30 p.m.

E. Community Center

Chair Wagner reported that the Community Center Committee met on March 25, 2009 at 9:00 a.m. The architect presented a cost estimate update and reviewed presentation of bids. Approximately 50 contractors attended the pre-bid meeting and 25 participated in the walking tour of the site. The Committee discussed the exterior and interior finishes, furnishings, art project update, and sustainability. The project is still on target to receive a LEED Silver designation and could possibly qualify for a Gold designation. The bid opening for the project is scheduled for April 16, 2009. The next meeting of the Community Center Committee is scheduled for April 30, 2009 at 9:00 a.m.

F. Downtown Redevelopment

Chair Norman reported that the Downtown Redevelopment Committee met on March 17, 2009 at 4:00 p.m. to discuss redevelopment of the City Hall plaza. The project is aimed at improving the infrastructure and the paving surface of the plaza surface that faces Main Street. The next regular meeting of the Downtown Redevelopment Committee is scheduled for April 14, 2009 at 4:00 p.m. with the Auburn Downtown Association.

G. Committee on Committees

Chair Wagner reported that the Committee on Committees met on March 30, 2009 at 4:00 p.m. to discuss Resolution No. 4467 regarding Council Rules of Procedure. There is no other meeting scheduled for the Committee on Committees.

IV. REPORTS

At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.

A. From the Council

Deputy Mayor Singer reported that Auburn City Council met with the Muckleshoot Indian Tribal Council to discuss planning of

potential bypass routes, which would bypass Auburn Way South. She presided over her last Executive Board meeting as Puget Sound Regional Council (PSRC) President and attended a PSRC meeting with the Prosperity Partnership Group and the Economic Development Board to discuss methods of working together in a regional effort to be more competitive for federal stimulus grants. The group also discussed possible formation of partnerships for various projects in order to have a better chance of obtaining grants. Deputy Mayor Singer expressed her pride when, at a significant meeting convened by Congressman Jay Inslee and King County Executive Ron Sims pertaining to environmental and energy grants, City of Auburn staff had already completed such grant requests and offered to share a template for use by the group. Deputy Mayor Singer also reported on the Committee of the Whole meeting.

Councilmember Wagner reported that he met with the State Route 164 (SR164) Corridor Working Group, which is currently studying potential bypass routes and options from State Highway 18 to SR164. He was able to share the information received from the SR164 Corridor Working Group at a joint meeting of the Auburn City Council and the Muckleshoot Indian Tribal Council. He also attended a Communities In Schools meeting. The Communities In Schools group provides study guidance to elementary and middle school students.

Councilmember Norman reported that she testified in Olympia before the Finance Committee regarding Second Substitute Senate Bill 5045, which proposes to provide investment funds in local infrastructure projects through a credit against state sales and use tax. The investment funds would be awarded to local governments that can demonstrate expected returns to the state. The City of Auburn has proposed such a project in the downtown core.

Councilmember Pelozo reported that he presided at a Regional Water Quality Committee Pre-caucus meeting at which they reviewed the King County Financial Policies. The policies provide a system of tracking and monitoring financial expenditures and budgets in protection of the King County rate payers. He also attended the regular Regional Water Quality Committee meeting. Councilmember Pelozo also reported on the Auburn International Farmers Market gala celebration which is on Sunday, June 14, 2009 from 11:00 a.m. to 3:00 p.m. at the Sound Transit Station

plaza. Officials from the cities of Auburn, Algona and Pacific will be in attendance. Many special events are planned for the grand opening. The market will be open each Sunday thereafter through September 27, 2009. The City of Auburn Parks, Arts and Recreation Department will assume responsibility for the market from the original volunteer steering committee. Market Manager Lillie Brinker has been hired to continue the planning and operations of the market. Approximately 35 vendors have signed up to participate in the market, providing fruits, vegetables, breads, flowers, and crafts. Mayor Lewis is forming an Auburn International Farmers Market Advisory Board. Councilmember Pelosa invited citizens interested in volunteering for the advisory board to contact the Mayor's office.

Councilmember Haugen expressed her pleasure regarding the involvement of Councilmembers Singer and Pelosa in promoting tourism in Auburn and the establishment of the Farmers Market. Councilmember Haugen also reported that she attended the joint meeting of the Auburn City Council and the Muckleshoot Indian Tribal Council.

B. From the Mayor

Mayor Lewis reported on Council efforts regarding SR164 and the legislative decision a few years ago to remove SR164 from the list of state highways of regional significance. That decision eliminated any opportunities to get state funding for SR164. SR164 was recently added back onto the list of state highways of regional significance, but it is not a route of high priority. Formation of a partnership with the Muckleshoot Indian Tribe may help in bringing the SR164 project to the forefront and to the attention of state legislators.

Mayor Lewis spoke regarding the efforts of the Suburban Cities Association with regard to the King County budget deficit of over \$93,000,000. Due to their budget deficit, King County has reported that they will be dropping all human services funding effective July 1, 2009, placing the entire burden for human services funding on the cities, which are also experiencing budget shortfalls. For many years, cities have relied on volunteer organizations to provide human services.

Mayor Lewis reported that officials recently toured Howard Hanson Dam with Corps of Engineers (Corps) staff to view recent damages

to the dam. King County Council scheduled a meeting for its citizens in the unincorporated portion of King County to provide information related to potential impacts in the event that flooding occurs. The City of Auburn took steps earlier in the year to inform its citizens of the potential dangers. The Corps is working on solutions to repair the dam, but there is no funding available to them to complete repairs. The Corps cannot ask Congress for funding. Affected cities will have to lobby Congress on behalf of the Corps, which presents difficulties in lieu of the recent stimulus package. If the funding becomes available, it will take one to two years to provide a temporary fix. Mayor Lewis reviewed recent flooding events and urged citizens to prepare for the worst case scenario.

V. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes

- 1. Minutes of the March 16, 2009 regular City Council meeting.**

B. Vouchers

F4.9.2, F4.9.5

- 1. Claims**

Claims check numbers 383857 through 384382 in the amount of \$2,289,438.99 and one wire transfer in the amount of \$4,494.00 and dated April 6, 2009.

- 2. Payroll**

Payroll check numbers 525986 to 526206 in the amount of \$370,111.22 and electronic deposit transmissions in the amount of \$1,202,577.09 for a grand total of \$1,572,688.31 for the pay period covering March 12, 2009 to April 1, 2009.

C. Contract Administration

- 1. Public Works Project No. C307B**

O4.10.2 C307B

City Council to grant permission to advertise for Public Works Project No. C307B, Citywide ITS Project Phase 1B – South 277th Street and Auburn Way North

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY. 7-0.

VI. UNFINISHED BUSINESS

There was no unfinished business.

VII. NEW BUSINESS

There was no new business.

VIII. ORDINANCES AND RESOLUTIONS

A. Ordinances

1. Ordinance No. 6227

O3.8 REZ08-0004

An Ordinance of the City Council of the City of Auburn, Washington, approving the request of Rainier Christian School for a rezone from M1 Light Industrial to I Institutional to implement the Comprehensive Plan and amending the City's zoning maps accordingly

Councilmember Norman moved and Councilmember Backus seconded to introduce and adopt Ordinance No. 6227.

MOTION CARRIED UNANIMOUSLY. 7-0.

B. Resolutions

1. Resolution No. 4455

O3.9 V01-09

A Resolution of the City Council of the City of Auburn, Washington, initiating street vacation proceedings and setting a public hearing to consider the vacation of a portion of the alley south of 1st Street NE between North Division Street and Auburn Avenue NE

Councilmember Wagner moved and Councilmember Cerino seconded to adopt Resolution No. 4455.

Councilmember Haugen expressed opposition to Resolution No. 4455.

Deputy Mayor Singer pointed out that Resolution No. 4455 calls for a public hearing to be set in order to receive public comment regarding the vacation application.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

2. Resolution No. 4462

O4.9.2

A Resolution of the City Council of the City of Auburn, Washington, to provide an address change for a single family residence

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4462.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

3. Resolution No. 4467

A3.6

A Resolution of the City Council of the City of Auburn, Washington, amending the City Council Rules of Procedure as adopted by Ordinance No. 5802 and amended by Resolution No. 4282 and Resolution No. 4429

Councilmember Wagner moved and Councilmember Singer seconded to adopt Resolution No. 4467.

Councilmember Haugen spoke in opposition to Resolution No. 4467.

Councilmember Pelosa thanked members of the Committee on Committees for clarification of the City Council Rules of Procedure.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

4. Resolution No. 4472

O3.10.1

A Resolution of the City Council of the City of Auburn, Washington amending and extending the moratorium established by Resolution No. 4357 and extended by Resolution No. 4412 on the filing of applications for Conditional Use Permits (CUPs) in property located within the R2 Single Family Residential District, the R-3 Two-Family (Duplex) Residential District and the C-1 Light Commercial District, and setting a public hearing for the 4th day of May, 2009, to consider the amendment and extension of the moratorium on the filing of applications for specified CUPs within specified zoning districts

In response to questions from Mayor Lewis and Councilmember Wagner, City Attorney Heid stated that Washington State law mandates that a public hearing be held when a moratorium is extended. Resolution No. 4472 also amends the scope of the existing moratorium to exclude properties located in the C-1 Light Commercial District. The current term of the existing moratorium expires May 3, 2009.

Councilmember Wagner moved and Councilmember Cerino seconded to adopt Resolution No. 4472.

Further discussion occurred regarding timelines relating to extension of the moratorium.

Councilmember Backus moved and Councilmember Peloza seconded to postpone Resolution No. 4472 and refer it back to committee for further discussion.

MOTION CARRIED UNANIMOUSLY. 7-0.

IX. EXECUTIVE SESSION

At 8:48 p.m. Mayor Lewis recessed the meeting for a five minute intermission and then to executive session for approximately twenty minutes for the purpose of discussing pending/potential litigation pursuant to RCW 42.30.110(1)(i). Staff members required for the Executive Session included City Attorney Daniel Heid. Mayor Lewis indicated that action may follow the executive session.

At 9:10 p.m., Mayor Lewis extended executive session for an additional five minutes.

Mayor Lewis reconvened the meeting at 9:18 p.m.

City Attorney Heid read the following ordinance and resolution:

Ordinance No. 6233

An Ordinance of the City Council of the City of Auburn, Washington, declaring public use and necessity regarding acquisition of property to provide access to a future site for city-owned facilities and authorizing condemnation

Councilmember Backus moved and Councilmember Peloza seconded to introduce and adopt Ordinance No. 6233.

MOTION CARRIED UNANIMOUSLY. 7-0.

Resolution No. 4471

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a Settlement Agreement with Jacobs Engineering Group, Inc. and W&H Pacific, Inc., regarding the South 277th Street Road Reconstruction Project

Councilmember Backus moved and Councilmember Peloza seconded to adopt Resolution No. 4471.

MOTION CARRIED UNANIMOUSLY. 7-0.

X. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:19 p.m.

APPROVED THE _____ DAY OF APRIL 2009.

Peter B. Lewis, Mayor

Cathy Richardson, Deputy City Clerk

City Council agendas and minutes are available to the public at the City Clerk's Office, on the City website, and via e-mail. Complete agenda packets are available for review at the City Clerk's Office and at the Library.

Internet: <http://www.auburnwa.gov>